



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/754,169

01/09/2004

Solomon I. David

097229/0051

8471

7590

03/21/2005

Steven B. Pokotilow
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, NY 10038

EXAMINER

WACHSMAN, HAL D

ART UNIT

PAPER NUMBER

2857

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/754,169

Applicant(s)

DAVID, SOLOMON I.

Examiner

Hal D. Wachsman

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-28 and 30-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-28, 30-34 and 38-42 is/are allowed.
- 6) ☒ Claim(s) 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12-6-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. The specification amendment in the reply filed 12-6-04 is improper under 37 C.F.R. 1.121 because the amendment indicates page 8, line 15, as the location of the paragraph being replaced however the paragraph being referred to starts on page 8, line 8. Appropriate correction is required.
2. The grammatical/typographical errors noted in paragraph 5 of the Office action mailed 9-3-04 are incorporated by reference. The Examiner acknowledges the Exhibit A, pages 6 and 9 of the application submitted by the Applicant to show why Applicant believes no correction is necessary. However, for unknown reasons, the specification of record in the image file wrapper does have the errors referred to and as this is the specification that would go to print if the application goes to issue and as there is no provision in the MPEP for substitute pages (i.e. the pages submitted by the Applicant), appropriate correction is still required.
3. Claims 30-34, 37 and 42 are objected to under 37 C.F.R. 1.75(a) for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The last line of claim 30 cites "...at a second socket contact proximate a second data port" which it appears should be "...at said second socket contact proximate said second data port". The last 2 lines of claim 37 cites "...each of said connectivity interrogation signal" which it appears should be "...each of said connectivity interrogation signals". Claim 42, line 2, cites "...to each remaining sock contact" which it appears should be "...to each remaining socket contact". The examiner asks the applicant to better claim the limitations cited above. While the examiner understands the

intentions of the applicant he feels confusion could be drawn from the limitations cited above. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Krupka et al. (EP 575100).

As per claim 35, Krupka et al. (Abstract, figures 2, 3, 14, page 2 lines 30, 31, page 5, lines 7-17, 54-59, page 6, lines 1-5) disclose “transmitting a first connectivity interrogation signal from a first output driver to a first socket contact”. Krupka et al. (Abstract, figures 2, 3, 14, 17, page 2 lines 30-33, page 4 lines 16-22, page 5 lines 2-6, pages 32-36, 38, 40, 41, 53, 55) disclose “determining which input latch among a plurality of input latches receives said first connectivity interrogation signal”.

As per claim 36, Krupka et al. (Abstract, figures 2, 3, 14, page 2 lines 30, 31, page 5, lines 7-17, 54-59, page 6, lines 1-5) disclose the feature of this claim.

As per claim 37, Krupka et al. (Abstract, figures 2, 3, 14, page 2 lines 30, 31, page 5, lines 7-17, 54-59, page 6, lines 1-5) disclose the feature of this claim.

6. Claims 17-28, 30-34 and 38-42 are allowed subject to the appropriate correction of the 37 C.F.R. 1.75(a) objections noted in paragraph 3 above.

7. Applicant's arguments filed 12-6-04 have been fully considered but they are not persuasive with respect to the claims that remain rejected above. Page 11 of the reply filed 12-6-04 indicated "...Applicant has amended Claim 30 to include the limitation of Claim 29. Claims 31-37 depend from the currently amended Claim 30." However, claims 35-37 do not depend from amended claim 30 but rather claim 35 is an independent claim from which claims 36 and 37 depend. No amendment was made to claim 35 to include the limitation of claim 29 and no arguments with respect to the prior art of record were made for the features of claim 35.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D. Wachsman whose telephone number is 571-272-

Art Unit: 2857

2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Hal D Wachsman
Primary Examiner
Art Unit 2857

HW
March 15, 2005